

AN ORDINANCE

**98179**

AUTHORIZING THE AMENDMENT OF THE GENERAL OPERATING AGENCY AGREEMENT BETWEEN THE CITY AND THE GREATER KELLY DEVELOPMENT AUTHORITY (GKDA) EXECUTED PURSUANT TO ORDINANCE NO. 96693 BY REDIRECTING \$491,000.00 OF PROJECT FUNDING AND EXTENDING THE COMPLETION DATE OF THE AGREEMENT FROM SEPTEMBER 30, 2003 TO SEPTEMBER 30, 2004; AND AUTHORIZING THE AMENDMENT OF ORDINANCE NO. 96693 TO REFLECT SAID CHANGES.

\* \* \* \* \*

**WHEREAS**, pursuant to Ordinance No. 96693, the City of San Antonio entered into a General Operating Agency Agreement (the "Agreement") with the Greater Kelly Development Authority ("GKDA") for the distribution of \$2,149,000.00 to be used to fund six capital projects at KellyUSA; and

**WHEREAS**, the Agreement contained a scope of work that provided for \$215,000.00 to be used for the purpose of improving the entrance to KellyUSA and \$276,000.00 to be used to improve New Laredo Highway and included a termination date of September 30, 2003 for all projects to be completed; and

**WHEREAS**, the City and GKDA have agreed to amending the terms of the Agreement to provide for the reallocation of \$491,000.00 in funds provided for improving the entrance to KellyUSA and New Laredo Highway and redirecting said funds to provide for the preliminary planning, engineering, design development, and production of final construction drawings and specifications to extend Cupples Road; and

**WHEREAS**, the City and GKDA have also agreed to extend the term of the Agreement to September 30, 2004; and

**WHEREAS**, the City's assistance to GKDA is consistent with the implementation of the City's strategic initiatives for economic development by promoting the redevelopment of KellyUSA; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** An Amendment to the General Operating Agency Agreement with GKDA as described above is hereby approved.

**SECTION 2.** The City Manager or her designee is hereby authorized for 60 days following the effective date of this Ordinance to execute an Amendment to the General Operating Agency Agreement between City and GKDA entered into pursuant to Ordinance No. 96693.

**SECTION 3.** The budget and encumbrance in Fund 43-192002, 2002 Certificates of Obligation, Economic Development-Kelly USA Improvements, shall be revised by reducing Index Code 753095, entitled "New Laredo Hwy Entrance Improvements," Document CP96693A, by the amount of \$276,000.00.

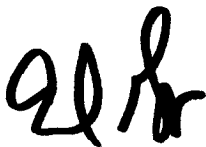
**SECTION 4.** The budget and encumbrance in Fund 43-192002, 2002 Certificates of Obligation, Economic Development-Kelly USA Improvements, shall be revised by reducing Index Code 753103, entitled "Quintana Entrance Improvements," Document CP96693B, by the amount of \$215,000.00.

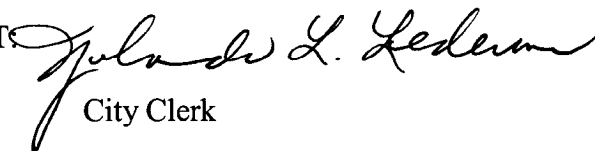
**SECTION 5.** The amount of \$491,000.00 is appropriated in Fund 43-192000, 2002 Certificates of Obligation, Economic Development-Kelly USA Improvements, in Index Code 775544, entitled "Cupples Road Project," and is authorized to be encumbered and made payable to the GKDA in connection with the Kelly USA Improvements Project.


**SECTION 6.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance or his designee may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 7.** This ordinance shall be effective on and after the tenth (10th) day following the passage hereof.

PASSED AND APPROVED this 18th day of SEPTEMBER 2003.

  
M A Y O R  
**EDWARD D. GARZA**

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
for City Attorney